

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 2:04CR58-PPS
)	
CHARLES STEELE,)	
)	
Defendant.)	

OPINION AND ORDER

Charles Steele is serving a sentence of 15 years' imprisonment on his guilty plea to a charge of being a felon unlawfully in possession of firearms in violation of both 18 U.S.C. §922(g)(1) and the Armed Career Criminal Act, 18 U.S.C. §924(e)(1). Representing himself pro se, Steele has sent the court a letter inquiring about the prospects for a reduction of his sentence based on Amendment 822, a recent change to §4B1.2 of the United States Sentencing Guidelines, the Career Offender guideline. [DE 94.]

Steele understands the significance of whether a guidelines amendment is made retroactive, and so can be applied to reduce a sentence imposed in the past. [DE 94 at 1.] Many requests for reduction of sentence are being filed at the present time based on Amendment 821, which has been made retroactive. Amendment 822 has not. Pursuant to U.S.S.G. §1B1.10(b)(1), sentence reductions based on guidelines amendments can be considered only with respect to amendments listed in §1B1.10(d), signifying that they have been approved for retroactive application. Amendment 821 is listed in the newly

amended 2023 sentencing guidelines. Amendment 822 is not. Steele is not eligible for a reduced sentence based on Amendment 822.

ACCORDINGLY:

The court will take no further action on Charles Steele's letter filed November 13, 2023. [DE 94.]

The Clerk shall provide a copy of this order to Steele at the institutional address from which his letter was sent.

SO ORDERED this 15th day of November, 2023.

/s/ Philip P. Simon
UNITED STATES DISTRICT JUDGE